

UNITED STATES OF AMERICA

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FEDERAL COMMUNICATIONS COMMISSION

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PUBLIC SAFETY NATIONAL COORDINATING COMMITTEE

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IMPLEMENTATION SUBCOMMITTEE

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WEDNESDAY

JULY 16, 2003

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The Subcommittee was called to order at 11:10 a.m. in the Commission Meeting Room of the Federal Communications Commission, 445 12th Street, S.W., Washington, D.C., Glen Nash, Chairman, presiding.

PRESENT:

TOM COLEMAN	Interim Subcommittee Chairman
DAVID EIERMAN	Member
BETTE RINEHART	Member
FRED GRIFFIN	Member
MICHAEL WILHELM	Designated Federal Official

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P-R-O-C-E-E-D-I-N-G-S

11:22 a.m.

MR. WILHELM: On the record. As I said before, Ted Dempsey is under the weather, so Tom Coleman will be chairing the subcommittee this morning.

CHAIRMAN COLEMAN: Thanks, Michael. We will now call to order the Implementation Subcommittee. As Michael said, Ted Dempsey who was the Chair was unable to make it today so I'll serve as that. Also we have Bette Rinehart who has been a major contributor in the writing group and has been a part of the writing group will sit in also for Ted today. I think the only one we're missing is probably Shahnami who is not going to be here today.

We have it on the agenda and did those get printed? We do not. We apologize. We do not have a printed agenda but we'll just call it out as we go. We'll start out with the working groups and the writing group and Bette to go over the review of some changes that were made to the Guidelines and also the draft regional plans. We'll start with

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1 Bette regarding the writing group.

2 MS. RINEHART: There's printed out copies
3 of the Guidelines. We've made some changes. I know
4 in fact at the February we had made some changes
5 based on Region 5's dismissal. Then based on other
6 information that we had gotten, an input from the
7 FCC, we've made additional changes. One nice thing
8 about this new program is that it tells you exactly
9 and printed out to the right it shows what the exact
10 text changes were.

11 One of the changes that we also made is
12 in Section 6 because of the changes to the channel
13 nomenclature. I made changes there to bring this
14 particular part of the Guidelines up to date with the
15 most recent proposed channel nomenclature.

16 CHAIRMAN COLEMAN: And we do have copies
17 of that so that is on the table if anybody doesn't
18 have that.

19 MS. RINEHART: One of the other things
20 that will be based on the Interoperability
21 Subcommittee's work is we are changing the Appendix A
22 which has been part of the Guidelines. It's not

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1 really a part of this actual document, the
2 Guidelines, but just part of the overall output of
3 the Implementation Subcommittee. So we're going to
4 have a new Appendix A based on that information.

5 We are going to change the item that
6 David brought up at the very end of the
7 Interoperability Subcommittee which is in the
8 Guidelines. It's page 34 under "Standardized
9 Nomenclature" where it says "The equipment has to
10 have a display of at least six." We're going to
11 change that now to eight.

12 I think most of this is just changing
13 based on things that have changed over the years.
14 The thing that will generate some discussion I
15 believe is under Item 13. It talks about proposed
16 plan amendments and how to define major and minor
17 plan modifications. Right now, when you have an 821
18 plan amendment, it can take months.

19 So the concern is that if we can have a
20 method to define minor modifications that do not
21 require FCC prior approval. Under that item, page 43
22 of the Guidelines, we have some proposals as to how

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1 to define a major and minor modification. That will
2 be the one of the Implementation Subcommittee's major
3 recommendations for this year. This is Steve Devine
4 in Region 24. He's been instrumental in putting
5 together the recommendations there.

6 CHAIRMAN COLEMAN: Here he comes.

7 MR. DEVINE: Thank you. As somebody who
8 is getting ready to file, I have some questions and
9 this is as good a time as any to bring them up. Just
10 really uncertain as to how the Commission's going to
11 use some of the things in the Plan amendments. Some
12 of the language here was just some concepts of when
13 we adopted 25 kilohertz channels we did that to be
14 flexible to both the bandwidths and technologies in
15 25 kilohertz and I think the term was to be used
16 'technologically neutral' which kind of inferred a
17 little bit of flexibility. In the process it was
18 anticipated that the Commission would also be a
19 little flexible in some of the things required to
20 promote spectrum efficiency, i.e. moving some
21 portions or orphan channels. I know we've discussed
22 this at previous meetings.

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1 I guess what needs to be clarified is
2 what is minor and what is major and what requires
3 plan amendment and public notice at the Commission
4 level and what really can be done to promote spectrum
5 efficiency in the region without having to go through
6 the plan amendment process? I guess we need to
7 define minor and major.

8 As somebody who is getting ready to file,
9 I would like to know what that process is going to
10 consist of prior to filing because it's quite
11 possible that the less specific information I bring
12 the less the Commission will feel compelled to have
13 to have a plan amendment for each individual
14 adjustment which might just be adjustments. We are
15 looking for the RPCs to have the freedom to move some
16 of those things around. I would just like to see
17 some of the discussion topics and some of the
18 feelings people had on that.

19 MS. RINEHART: What is currently in Item
20 13? It talks about having allotments rather than
21 allocations and to use the CAPRAD presort as the
22 allotment. Then once you have your plan approved by

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1 the FCC and then you start actually having
2 applications come in, you make actual allocations.
3 That would considered the implementation of an
4 approved plan. As long as the CAPRAD database was
5 kept updated with the most current information, then
6 that part of the plan could really reside in the
7 CAPRAD database. That would be considered a minor
8 modification.

9 Then if you had some change to the
10 administration of the plan, all the text that goes
11 into the actual plan, that would be considered a
12 major modification and would require prior approval
13 by the FCC.

14 MR. POWELL: Just wanted to comment.
15 John Powell. The issue of orphan channels could be
16 major if the Commission were to look at that as a
17 plan modification that required publication. For
18 example from Northern California, we could be hitting
19 you every month with plan modifications. It?s to the
20 point within, for example, the San Francisco area
21 we?ve actually looked at going back to the plan and
22 redoing it on a 12 and a half basis because none of

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1 the agencies in the area indicate any intent to use
2 wider than 12 and a half channels.

3 Where we've done the assignments as
4 Southern California did initially at 25 and someone
5 is going to only use half of that, we need the
6 flexibility to be able to grab that half, for example
7 with the mountain ranges around the Bay, throw it on
8 the other side of the hill. It's still within the
9 region and maybe within 25 miles of where it was
10 originally going to be used but outside the initial
11 county that it was assigned in so that we don't have
12 half a channel wasted.

13 We meet every month. As these things get
14 shuffled around and people start licensing if we have
15 to bring that to the Commission every month, you're
16 going to get inundated with plan changes. We really
17 need that flexibility to deal with those orphan
18 channels since we went to 25 instead of 12 and a
19 half.

20 CHAIRMAN COLEMAN: Okay, so you're
21 saying, John, the way this is laid out now and again
22 under Item 13 'Plan Modification' you can see it

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1 right there. The way we have this split out is the
2 minor is anything that involves only changes to
3 frequency assignments. What constitutes major is in
4 the way the region assigns it or allocates it. So
5 you are saying that anything ?

6 MR. POWELL: I'm saying that's correct.
7 The way it's listed there it's correct. It's what we
8 need.

9 MR. BUCHANAN: I guess my question to
10 help us in the future is the way we did our plan
11 which is we actually have allocated the channels to
12 each agency although we did it as 25 kilohertz
13 blocks. We're really not worried about the orphan
14 channel issue because the agencies are going to reuse
15 their channels. For the most part, it's large
16 geographic agencies that have the channels. So
17 that's not an issue.

18 But what we do end up and what's happened
19 to us at the 800 NPSPAC process is that agencies will
20 come back and say I need additional channels and have
21 done the homework and here's the engineering and if
22 you will allocate these channels to us, we can use

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1 them in this area. Say it's the county of San Diego.

2 Maybe we can use it in this particular area.

3 Right now, that triggers that it gets
4 added to our list. We have send in. In fact for 821
5 it might be San Diego which is 200 miles from the
6 nearest adjacent region but we have to get approval
7 from the adjacent regions. We also have to send it
8 into the FCC and get it all through that process.
9 All it affects is that one little area and all the
10 people that would be affected have already signed off
11 of it in our region. I'm just wondering if we can
12 make that process part of the minor changes and not
13 have to go through all of that at 700.

14 MS. RINEHART: That's one of the things
15 that is addressed in here. What was done is taken
16 the language from the Interregional Dispute
17 Resolution Agreement which is Appendix W and put it
18 in here again so that you would only have to get
19 adjacent regional approval if it would fall within
20 that criteria. So if you were doing everything in
21 Los Angeles then that's not going to affect your
22 border regions. They wouldn't need to sign off on

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1 that. I know we have some language in here in this
2 draft that talks about the use of the CAPRAD database
3 to house the most current information as well as to
4 have a trigger that if you did make a modification
5 that would affect the adjacent region to let them
6 know that they needed to go in and look at your plan
7 and approve it or not.

8 CHAIRMAN COLEMAN: Just one second. I
9 would like to have Dave Funk who is responsible for
10 the database comment on the details of that process.

11 MR. FUNK: Dave Funk, NPSTC Support.
12 That feature of a trigger is in CAPRAD. Every time a
13 change to a plan or an allotment is made, the system
14 can trigger a notification to the surrounding areas
15 for notification purposes. It doesn't prevent any
16 activity but again it's based on the idea that the
17 regional planning committees are working within the
18 guidelines and the rules that they are putting their
19 system together in. But each of those allotments
20 that are made either through the National Packing
21 Plan or modifications to that Packing Plan that each
22 regional planning committee has done, they can allot

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1 them in any frequency width that they want to. The
2 initial Packing Plan is done at 25 kilohertz as was
3 the recommendation from the NCC and the
4 Implementation Subcommittees.

5 Each region can do their own thing as
6 Dave Buchanan did in Region 5 where he has actually
7 allotted them out with specifics to six and a quarter
8 size channel widths. So the CAPRAD system can handle
9 any of that and it can handle the movement of those
10 from one place to another if it was allocated for
11 example in San Bernardino County as a 25 kilohertz
12 block, part of it got used and the other half of that
13 could simply be used in a move to another county and
14 allocated there as part of that new county allotment.

15 The system is already built to handle any
16 of that. Notifications can be made automatically
17 through this system as plans in the sense of that
18 matrix are changed.

19 CHAIRMAN COLEMAN: Thanks, Dave, for that
20 clarification. Steve.

21 MR. DEVINE: Steve Devine, State of
22 Missouri. If the process is too cumbersome, I really

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1 afraid of two things, CAPRAD becoming polluted with
2 information that's less than accurate and, even
3 worse, people not even putting information into
4 CAPRAD and just doing it because the plan amendment
5 process would be too cumbersome.

6 In order to be truly spectrally
7 efficient, the regions should analyze after every
8 application exactly what the allotments are and as
9 Dave indicated he's done things differently but most
10 of the regions are providing county allotments where
11 it's basically a very educated guess and who uses
12 what in those areas is going to come out later. So
13 to be truly efficient, the region needs to look at
14 the allotments remaining after every application and
15 have a little bit of freedom.

16 We're not talking about a whole lot of
17 movement here but sometimes that movement in order to
18 make that portion of a channel effective might be
19 across a county boundary. I think what's been done
20 in here is provided some contour information and some
21 distance criteria that says "If it's in here, if it's
22 on the Illinois border, I probably shouldn't need to

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1 get concurrence from Kansas? which would make some
2 sense to some degree. Although if I could just add,
3 if I had the Pacific Ocean as my western border - I
4 would like to have that actually - but I don?t.

5 CHAIRMAN COLEMAN: That may happen when
6 it breaks off. Isn?t that the theory? Next we?d
7 like to move on the agenda here. Next up is DTV
8 Transition Working Group. Go ahead, Dave.

9 MR. BUCHANAN: Dave Buchanan again. One
10 thing I found when I went back and it was time to go
11 get the approvals from the adjacent regions that we
12 should caution regions. They need to build that into
13 their planning as to how they?re going to approve
14 somebody else?s plan from the adjacent regions.

15 Different regions are doing it
16 differently but it did trigger the issue that for
17 instance I just got Arizona?s approval because they
18 just now had a meeting and were able to address that
19 issue. For my own region, we talked about it and
20 what we formed is a subcommittee within the committee
21 that has authority to approve adjacent region plans.
22 They will review them, look them over and if there

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1 is no issue, they will say ?Okay, Chairman, it?s okay
2 to sign off on that plan.? You are not holding
3 people up waiting for your next planning meeting
4 which may be several months away.

5 MS. RINEHART: So that would be a
6 suggestion to add to the guidelines.

7 MR. BUCHANAN: Yes, because it did come
8 up based on that.

9 MS. RINEHART: Okay, makes sense. I
10 guess one other thing is I didn?t quite going over
11 all the documents but if anybody has any other
12 comments about the guidelines. Are we okay?

13 MR. DEVINE: Just to reiterate, quite
14 often the concurrence is that ?Our committee doesn?t
15 meet for three months?. So as somebody who is
16 getting concurrence, it would probably expedite the
17 process for those that are ready to move forward if
18 it was recommended to a region to include some kind
19 of review committee that wouldn?t require the entire
20 committee.

21 MS. RINEHART: All right. We?ll figure
22 out the appropriate spot to put that in the

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1 guidelines and we'll add that text.

2 MR. BUCHANAN: And I guess one other
3 thing. I don't know if it's going to come up. This
4 is Dave Buchanan again. We have a process for a
5 waiver for region as it's formed but what do you do
6 if a region won't answer you that is formed? I don't
7 know if that's going to come up. Potentially it
8 could. They could form their committee but for
9 whatever reason they are not just responding to the
10 adjacent region. We need probably something to
11 address that issue just in case.

12 MS. RINEHART: Okay.

13 CHAIRMAN COLEMAN: That's a good point.
14 I agree with you. Murphy Law's will kick in. Not
15 Rick Murphy, the other Murphy. Murphy's Law will
16 kick in on that one and I agree it will happen.

17 MR. DEVINE: Steve Devine. That might be
18 able to be accomplished, Dave, with the waiver
19 language just indicating that we're aware they've
20 convened and you don't have to document the attempts
21 to contact and such and maybe that same waiver
22 language that you would use for a non-formed region

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1 would apply as well.

2 MS. RINEHART: Right. I think it
3 probably could and we could just add some additional
4 text that says "Either for an unformed region or a
5 region that is not responding?". Is there any
6 discussion on Number 13 with the major/minor mods?
7 Are we okay with that language?

8 CHAIRMAN COLEMAN: I have one comment on
9 the page 45 "Dispute Resolution and the National
10 Planning Oversight Committee ("NPOC")?. As you
11 recall, this has been a discussion item for several
12 meetings. It has been agreed upon through this
13 Committee as well as the NPSTC Governing Board that
14 the dispute resolution process will follow on and
15 become a part of NPSTC that is in the dispute
16 resolution process. We just simply ran out of time
17 here. We've been on vacation and things. We are
18 proposing to do a graphic that will show a chart that
19 will show the simple flow process and how that goes.
20 On page 46, under "Recommendations" you'll see "will
21 be created and mediate and resolve the disputes
22 between again as proposed will be coordinated

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1 utilizing the NPSTC?.

2 MS. RINEHART: Okay, Appendix W which it
3 indicates Appendix W on the bottom. This is the
4 Interregional Coordination Procedures and
5 Interregional Dispute Agreement. This document was
6 presented at the February meetings and there was some
7 discussion on the list-serve and there was a change
8 made to the footnote there on the first page based on
9 some input from John Powell and Norm Coltry and Dick
10 Eierman. They worked that language out. All these
11 documents have been distributed on the list-serve.

12 Appendix Z is just a sample concurrence
13 letter for the adjacent regions to use. Appendix Y,
14 it doesn't say Appendix Y at the top. It should.
15 It's the sample waiver language for a Waiver of
16 Consent from an adjacent region that is not formed.
17 This again gives a sample to say "You're adjacent to
18 five regions and you've gotten concurrence from three
19 of them. Two of them have not concurred because they
20 have not yet formed?". It just gives some sample
21 language to use. I think the major thing is to show
22 the Commission that you've made every attempt to

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1 contact the adjacent regions. If there's a convener,
2 you have contacted the convener. You've done
3 everything that you could.

4 Then also you have set aside spectrum at
5 your region borders so that when that region does
6 form and comes in to begin regional planning, there
7 is spectrum left for them. The best thing to do
8 unless there is some major population at the border
9 that say 70 percent is in one region and 30 percent
10 is in the other is it would make sense that the
11 spectrum were to be divided that way. Otherwise it
12 seems like 50/50 is probably the most equitable
13 split. You need to explain that your borders are
14 rural or there's only sagebrush and jackrabbits or
15 that there is a city, etc. All that language is in
16 here.

17 Appendix AA came from the DTV Working
18 Group which is a sample notification to the secondary
19 TV stations. One notification is when you begin
20 regional planning. Another notification is to be
21 used when your plan is approved by the FCC. A third
22 notification is when you actually begin to implement

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1 systems so they are on notice.

2 Then there is AB which is a sample cover
3 letter to adjacent regional chairs. Appendix AC is a
4 list of the narrow band low power frequencies that
5 are subject to regional planning.

6 COMMISSIONER EIERMAN: One comment on
7 that, Bette. You list all 24 of them and you mention
8 that 18 are regional and six are itinerant but you
9 don't tell which they are. My suggestion was in the
10 center column put which are itinerant and which are
11 already PC.

12 MS. RINEHART: Duly noted. The last
13 thing that was handed out is the -? We want to
14 indicate that these are the only channels that are
15 available for analog primary.

16 The last one was the Appendix B which is
17 ?Frequency Asked Questions?.

18 MR. BUCHANAN: On that issue of these
19 being the analog ones, they are six and a quarter but
20 I don't know of anybody that's going to be able to
21 make an analog radio that way. We had a big
22 discussion in our region. You may want to note that

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1 if you're going to allocate them to be used for
2 analog that you have to at least pair two of them
3 together and put that in the plan. You may want to
4 bring that out in the Guidelines.

5 MS. RINEHART: All right. I guess the
6 only thing I would like to get is consensus on these
7 additional documents that everybody is okay with them
8 and that they will go into the guidebook and be
9 available electronically. Okay.

10 CHAIRMAN COLEMAN: Also with regard to
11 those ?Frequency Asked Questions? this RPC guidebook
12 and the hard copies have already been sent to each of
13 the 55 regions. Each region has it. We also realize
14 that there are going to be changes and amendments and
15 upgrades and information changes and quite probably
16 perhaps in the ?Frequency Asked Questions?. The plan
17 is and what we're going to do is and we is through
18 the NPSTC and through NPSTC support office who
19 conducted the printing and delivery of that send
20 those updates by e-Version. So we are not going to
21 keep sending hard copies. Anybody who received those
22 we'll make sure that obviously we will take the

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1 responsibility to see that those regions get those
2 changes. Then it will be up to them to run print and
3 hard copy on those.

4 Next up we have DTV Transition Working
5 Group, David Eierman.

6 COMMISSIONER EIERMAN: As of May 2002,
7 all the commercial stations were supposed to have
8 their DTV station operational and on the air for part
9 of the day anyway. As of May 2003, the public
10 broadcasting, the non-commercial, and other stations
11 were supposed to be on the air. I haven't looked
12 probably in the last couple of weeks but the last
13 time I looked it was probably slightly over 50
14 percent of the stations were operational either
15 licensed or under some type of temporary
16 authorization. We've only progressed to a little
17 over 50 percent of the stations on the air.

18 The FCC had a report and order about the
19 penalties for not meeting the dates and requiring
20 that stations start filing reports eventually every
21 30 days for six months to a year on their progress
22 explaining why and how are they acting in good faith

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1 to get their station on the air and what are their
2 issues or their inability to get their station on the
3 air. There is an FCC docket out there on what are
4 the definitions of the Congressional legislation or
5 the interpretation of what market penetration means
6 and what does the 85 percent penetration rate mean
7 and the various issues of getting the broadcasters to
8 clear the channels. So it still looks like we're
9 making slow progress towards getting the public's
10 safety channels cleared by 2006.

11 I guess there is some hope in Canada.
12 There has been some discussion with Canada and in
13 Canada about clearing at least channels 63 and 68 at
14 least from the basis of not implementing any new DTV
15 stations on those channels. There is only a couple
16 of full power analog stations on those channels.
17 There's a possibility in the next year hopefully
18 maybe by the end of the year we'll see some official
19 documentation on what Canada is going to do about
20 clearing.

21 I have no comments on where Mexico is
22 with clearing. I think there's only one Mexican

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1 station that's a major problem in the San Diego area
2 and then some proposed DTV stations along the border.

3 I don't know if Sean has any more comments about
4 Canadian DTV or not.

5 There are people still exploring numerous
6 avenues with the FCC with TV stations, with Congress,
7 to get channels 63, 64, 68, 69 and possibly some of
8 the adjacent channels cleared early. There was the
9 Harmon legislation which has been referred to. The
10 Commerce Committee is sitting there, some discussion
11 about other ways to free up some of these channels
12 early. There are still people working on trying to
13 get the public safety channels cleared early.

14 Bette mentioned that we wrote up this
15 Appendix A about notifying the secondary TV stations.

16 The report in order on TV reallocation was fairly
17 clear that low power TV stations and boosters are
18 secondary to all primary services and it was fairly
19 clear that land mobile would be a primary service
20 when it came into this band. We think it's important
21 that the regional planning committees notify the
22 secondary users in the band that some activity is

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1 going on at the points of when they start their
2 region and when the plans adopted and then at
3 construction when the stations actually have to do
4 something to modify their operation or go off the air
5 so that they don?t interfere with public safety
6 primary operations.

7 I think it?s important that we should
8 probably also notify the full power stations that
9 something is going on again at the regional planning
10 level and again when the regional plan is adopted
11 even though we have little recourse to get them to go
12 off the air early at the moment. That?s all I have.

13 Any questions on DTV progress?

14 CHAIRMAN COLEMAN: And, Sean, did you
15 have anything or are you going pass?

16 MR. O?HARA: Pass.

17 CHAIRMAN COLEMAN: Steve Devine.

18 MR. DEVINE: Steve Devine from the State
19 of Missouri. I had mentioned to Bette about having a
20 list of DTV stations so states could know who to
21 direct some of these letters to. David Funk has
22 informed me that indeed there is a list on the CAPRAD

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1 system that would be able to differentiate between
2 the high power and the secondary users. There is a
3 mechanism already developed so we can disregard our
4 previous issue.

5 CHAIRMAN COLEMAN: Also Sean I think is
6 coming to the mike here. Another work effort that's
7 been going on again through the NPSTC Governing Board
8 and one of the numerous working groups, Sean has been
9 regularly reporting to the NPSTC Governing Board on a
10 category that we actually have which is called "DTV
11 Transition".

12 MR. O'HARA: Sean O'Hara, Circuit
13 Research Corporation. I only wanted to add that
14 there was a notice of inquiry from the FCC docket 03-
15 15 on methods for accelerating the DTV transition.
16 New York State had filed some comments generally
17 related to maybe better spectrum management policies,
18 a little more detail in some of the engineering
19 parameters that define a study for allowing short
20 spacing and a host of other issues that, if employed,
21 could actually enhance the sharing of the 700
22 megahertz spectrum and actually eliminate more

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1 interference than maybe what the Rules have
2 currently.

3 In reply comments, that was supported
4 very strongly by both NPSTC and PISWIN as well as
5 APCO. I think there is a lot of good ideas in there.

6 It's only really things such as that that probably
7 are going to give us any hope of allowing some early
8 operation of 700 megahertz in the impossible areas
9 particularly the Metro New York area and some of the
10 Southern California areas. That's it.

11 CHAIRMAN COLEMAN: Thanks, David. Next
12 up is Policy Recommendations, Fred Griffin.

13 COMMISSIONER GRIFFIN: I wrote a letter
14 of observation to Ted Dempsey on June 25th. He
15 responded June 30th and said he appreciated the letter
16 and he would get back to me and discuss it. As of
17 this date, I've had no communications with Ted. The
18 letter since that time has been put up on the list-
19 server so a lot of people got it. I don't know
20 exactly where it's going to go from there on this
21 Committee since I haven't talked to Dempsey. I would
22 make just a general speculation and it's strictly

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1 speculation.

2 Based on interactions to our office and
3 my home up to 10:00 p.m. from calls, I think this
4 letter is going to participate some both public
5 hearings and private investigations in various
6 departments of the Federal Government. Since I've
7 been queried by various people, I don't want to say
8 anything else more. I stand by the letter. There
9 are no changes. I also would like to thank both John
10 Powell and Bob Schlieman for their candid response.

11 To a great extent, I endorse probably
12 about 90 percent of what John Powell and Bob
13 Schlieman said. However they addressed only a
14 portion of what's in the letter and not the total
15 letter. So I don't know where it's going to go from
16 here but that's it.

17 CHAIRMAN COLEMAN: Okay, Technology
18 Policy, Ellie Shahnami who is not here. We'll pass
19 on that. Next up is the Funding Working Group,
20 Working Group 5, which is myself.

21 Again as has been mentioned before and
22 has been agreed upon by consensus by this Committee

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1 in past meetings, this is the group which includes
2 some efforts on behalf of the PISWIN folks as well as
3 our office and through the NPSTC Support Office to
4 provide a medium and access point, a reference point,
5 a gateway, a place to go with regard to updates of
6 funding. It's such a dynamic and constantly changing
7 subject. Agencies in the other hat that we wear
8 that's probably the second most chronic question that
9 we get. Does anybody know what's the status on
10 funding? Who has what? Where is it going? What are
11 the assignments??

12 So as a service to the state and local
13 community, again we've agreed to provide this, do
14 some filtering and come up with a matrix and more
15 importantly a central access point to get right to
16 the funding as we know it and places to go to at
17 least get you in the front door. That now resides in
18 the new NPSTC website. The website has been updated.

19 I believe, Jeanne, that's under the tab Resources?.

20 So again this working group is considered important
21 so we want to continue and agree to continue this
22 working group into the continuing work of the NPSTC.

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1 We have the RPC guidebook again as I
2 mentioned earlier. The hard copy prints have gone
3 out. We'll continue to provide a delivery for e-
4 Versions as they come up. So we've agreed to take on
5 that responsibility. I'd like to ask Dave Funk to
6 come up and give a status report on the
7 precoordination database known as the CAPRAD. Dave.

8 MR. FUNK: Dave Funk with NPSTC Support
9 Office. The CAPRAD System is fully functional and
10 operational. It has been for some time, a little
11 over a year. In January, the National Packing Plan
12 was installed on the database and it is in place and
13 functional.

14 Twenty regional planning areas have been
15 trained in the use of CAPRAD and currently
16 approximately half of those are actively using it in
17 their planning operations. We have three areas where
18 actually plans are already posted on the systems or
19 are in a status other than in-process. That means
20 that they have placed into a status of regional
21 planning review by adjacent regions or a status of
22 that nature.

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1 The CAPRAD System is also currently
2 undergoing its first of several planned upgrades.
3 The software for both the database in the Oracle side
4 and in the server side have been upgraded. The
5 server side to the Microsoft 2000 Server Series and
6 the Oracle to a 9I Enterprise System from an 8I. So
7 the database is humming along. There?s lots of
8 activity within it and the system will after the
9 initial planned upgrades are completed at the end of
10 this month begin with two planned enhancements for
11 the system. One of those enhancements is an ability
12 to import or export EBF files that will allow
13 applications to be created in commercial software as
14 long as they are saving those files in a standard
15 EBF/FCC type format. Those could be imported
16 directly into CAPRAD and initial application process
17 could be started through that vein as cooperatively
18 working within CAPRAD and initiating an application
19 within that system as well.

20 The second enhancement will be a mapping
21 function that will allow the system to be more
22 utilized for identifying locations of existing sites

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1 and actually providing mapping capability that will
2 allow plotting of sites based on latitude, longitude
3 that are entered into the system either for tracking
4 for example the locations for state frequencies. Or
5 as licenses begin to be recorded within the system,
6 it would also document where those systems are
7 geographically. That's basically where we stand with
8 CAPRAD.

9 CHAIRMAN COLEMAN: Also, David, while you
10 are still at the mike, could you give us an update or
11 briefing on the RPC funding?

12 MR. FUNK: Okay, RPC funding for the year
13 just completed, we actually have two of the \$2500
14 grants still available. We currently have no pending
15 requests for that money. Those two will be carried
16 forward.

17 For FY 2003, we have been advised that we
18 will have funding for RPC support for the next year.

19 That money, though we don't have a specific dollar
20 figure for the actual amount to be given for each
21 grant, we feel certain that the grant money will
22 continue to go for first time grantees and we also

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1 will for the first time be able to provide
2 supplementary funding to regions that have previously
3 requested grant funding. Those regions who have
4 maintained their records have expended the dollars
5 from their original grant could apply for a
6 supplementary grant which will be in a dollar amount
7 to be determined. That would be a first. We hope
8 that it will additionally support the RPCs in their
9 continued efforts.

10 CHAIRMAN COLEMAN: Thanks again, Dave.
11 For those of you who haven't heard, most in the
12 audience already know about the history of this, the
13 genesis of this precoordination database. It was
14 launched and started out of the NPSTC group,
15 specifically the four coordinators that put forth
16 this request so they could provide this capability.
17 As Dave mentioned in wearing the NPSTC Support Office
18 hat for a minute here, that through each of the
19 session that have been put on there as well as the
20 colloquium that was conducted in Chicago and we plan
21 on continuing to do others around the country, the
22 response has been overwhelmingly well received. So

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1 thanks again, Dave. A comment?

2 MS. KOWALSKI: Jeanne Kowalski with the
3 FCC. I actually have a question relating to the
4 database. In the early days of the NCC and the
5 development of this concept, there was an
6 understanding possibly or maybe not that the database
7 would have a feature which is a read-only capability.

8 This would allow for a broad regional planning
9 membership access to information not only for their
10 region but for adjacent regions. It would also allow
11 for the manufacturers to have information about the
12 regional plans. It would allow for FCC staff to have
13 access to information about the plans. Possibly it
14 would be substitute in some ways for the paper that
15 we used in 800.

16 One of the questions that the
17 Commission's staff people are interested in knowing
18 is what the NPSTC group intends to do in terms of the
19 read-only capability of this data for the future.
20 You may need to think about that but if there was
21 something it would be helpful. It's an important
22 piece for staff. Maybe people have different

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1 recollections about the early days of our thinking on
2 this.

3 CHAIRMAN COLEMAN: Okay, Dave Funk.

4 MR. FUNK: I can respond only from the
5 point that I entered the picture, which was here:
6 build this. Certainly the concept of the database
7 has always been to provide a broad tool to allow as
8 many people within the regions to not only work
9 within their own region but to also coordinate and
10 cooperate with the regions around them.

11 The database as currently built is
12 designed to do exactly that. Everyone who has a
13 planning function and a need to be there has the
14 ability to go through their regional committees to
15 define who they want to have the access and the role
16 to be involved within that database like functions
17 they need to perform and how they want to do that.
18 So each region has the authority to set up who those
19 people are.

20 Beyond that and certainly in response to
21 Jeanne's question, I don't know what original
22 understandings there may have been. Today as a

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1 result of talking with Jeanne on some of these
2 issues, we have a way that the database will be able
3 to provide essentially a public front page that will
4 allow a currently approved plan and the matrix that
5 is associated with that plan to be viewed from
6 without having to sign into the system for example.

7 Everyone else certainly the concept of
8 being a part of that planning community whether
9 you're in an adjoining region or adjacent region or
10 within the region itself on a committee, there are
11 roles and responsibilities that go with being in
12 there and what things you can do and what things you
13 need to do as part of your role. So managing that
14 piece, I don't anticipate changing. But for the lack
15 of a better term, this "read-only" approach that
16 Jeanne has referred to certainly making those
17 approved plans and the matrices that associated with
18 those will be an important thing that we can do.

19 CHAIRMAN COLEMAN: Steve Devine.

20 MR. DEVINE: Steve Devine, at this
21 particular instance representing NPSTC in the Midwest
22 Regional Planning Committee's advocate for the

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1 Midwest RPCs. Going back if I could to our
2 discussion earlier on plan amendments, I would like
3 to get some feedback as somebody who is getting ready
4 to file and also having some people at home wanting
5 some information with regard to the plan amendments.

6 I was wondering if it was possible to get some
7 feedback on exactly what should be submitted so I
8 don't put the Commission in the position when
9 submitting that requires them to approve something
10 and then later down the road requires more plan
11 amendments that any of us are comfortable. Is it
12 possible to get some feedback on that or does it make
13 a difference if I provide too much information?

14 MR. WILHELM: Steve, I'm sorry. I wish I
15 could but I don't work in that area so I can't answer
16 your question.

17 MR. DEVINE: Thank you.

18 MS. KOWALSKI: Jeanne Kowalski, FCC. I
19 will try to just give an overview. 700 is the future
20 and we're really excited about that. We want to have
21 a process that makes sense. We want to learn from
22 what happened in 800. So as I had said database is a

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1 tool that everyone has worked so hard on and it?s
2 just has the potential to be many things that we
3 could possibly do or envision now.

4 At this time, the Commission would have
5 to look at the plan in terms of what is available.
6 So the Commission attempts to make sure that public
7 access to this process is preserved. My sense is
8 right now that we are at the paper game because of
9 the status of the database. There will have to be
10 the paper filing of all the information hopefully
11 with an electronic version backed up so that we can
12 have this in our docket.

13 What I?m trying to get it is when these
14 things go out on public notice, the underlying
15 material will have to be available precisely to
16 everyone in the same fashion. So we are dealing with
17 the state of the world today, the database as it is
18 today.

19 I think the advised is to put in paper of
20 course with an electronic version and submit the
21 entire thing. Possibly you would want to preserve an
22 option in the future where you outline how you would

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1 have your plan available through the database and the
2 process for amending it explained so it would be
3 clear to your adjacent regions whether and how they
4 could have access to this information.

5 But it's more than the adjacent regions
6 we want to provide information to. It's all of the
7 public safety community. The manufacturers for one
8 are important. We also have our international public
9 safety folks who should have access to this. Our
10 policymakers. That's why I go back to the point that
11 the read-only capability on different parts possibly
12 beyond the finally approved plans. If a plan is in
13 the process of being amended and the database could
14 serve as the authority on that, that would avoid some
15 of the paper exchange. But at this time, I think the
16 guidance is, Steve and to the people who have the
17 plans, we have to work in the world that we have
18 right now.

19 MR. DEVINE: Thank you, Jeanne. I can
20 concur. I need to provide as much information as
21 possible but it goes back to the plan amendment
22 process and it might change down the road. But if

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1 the plan amendment process is as it was in 821, we're
2 going to bring this whole thing to a screeching halt
3 because the flexibility that we put in the 25
4 kilohertz channels is not matched by a regulatory
5 flexibility.

6 The way we went through the plan
7 amendments of 821 doesn't have that flexibility in
8 it. Things were a little more concrete there and the
9 plan amendments were as they were. We've created
10 bandwidth disparities and technologies that are going
11 to operate here so there is some flexibility that's
12 needed.

13 Hopefully the process will bring that
14 flexibility back if it's on the database and whatever
15 it is. If we're going to be truly spectrally
16 efficient, we're going to have to have some freedom
17 to move these things to make them work. It's not
18 very far but we will need some freedom which might go
19 over county and such.

20 CHAIRMAN COLEMAN: What you're
21 describing, Steve, and also in response to Jeanne's
22 latest comments, back to a little history, again

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1 three plus years and we have one coordinator here
2 today, Ron Haraseth representing APCO, you may want
3 to comment on this, those who were in on it from the
4 very beginning. From the very beginning, NPSTC said
5 ?We wanted this capability. These are the features
6 and the capabilities that we want.?

7 So rather than having us being NIJ and
8 LECTC, the center we reside from, running off and
9 just going and building it, we took great pains and
10 there were times when it was great pains which
11 Marilyn Ward can certainly attest to some closed door
12 sessions down in Orlando. This is three plus years
13 worth of labor. The point is that in every step of
14 the process, from proof of concept to concept, and to
15 most importantly building every feature and
16 capability according to the coordinators. ?We want
17 this feature. We want this capability.? I don?t
18 know if, Ron, you wanted to comment on that or not.

19 MR. HARASETH: Ron Haraseth with APCO.
20 I?ll brief you a little bit. It goes back long
21 enough that some of the original indications are
22 probably a little bit fuzzy in my brain too. It?s as

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1 Tom says. If you go back and look at the process
2 that we went through, it was designed from some of
3 the criteria that came from the four coordinators.

4 What we are talking now is a criteria
5 process that may not have crept into CAPRAD database
6 and that is the approval process which involves the
7 FCC. I think that's what Jeanne is talking about
8 here now and Steve is talking about as far as getting
9 an approval process. That wasn't part of any of the
10 discussions we had as the four coordinators we had
11 with NPSTC thinking back.

12 I do believe that it was our intent that
13 the plans and the matrices would be essentially
14 publicly accessible. That was a given. But the
15 actual step-by-step process by which the plans could
16 be approved in an electronic methodology and could be
17 updated in an electronic methodology, I don't think
18 that's ever been considered. I don't think the FCC
19 has ever given any input or direction to the CAPRAD
20 operation in that regard either.

21 So it's something that we probably need
22 to go back with speaking on behalf of the

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1 coordinators and working with NPSTC and with CAPRAD
2 and see if we can't establish some policy. Obviously
3 we need to work with the FCC at the same time to come
4 up with functionality that will work for all.
5 Because obviously as we're talking here if we have to
6 live with the paper methodology that Steve is talking
7 about, yes, it could be very long and drawn out.
8 Hopefully we can do something that is truly all
9 electronic and we should be able to do that in this
10 day and age. We have the tools.

11 CHAIRMAN COLEMAN: Marilyn

12 MS. WARD: Marilyn Ward, NPSTC. I think
13 the key here is that we did start this three years
14 ago. Every year that goes by new things happen. New
15 technology happens. New procedures happen. It's
16 probably going to be a recommendation here from me as
17 the Chair of NPSTC that we go back and sit down with
18 the coordinators and bring the FCC and RPC people in
19 and let's just have a discussion about this while we
20 have time here to have that.

21 I do remember some discussion about the
22 read-only issue, for people to be able to access it

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1 from the Net. That was one of the reasons that we
2 wanted to use the Net so that the adjoining people,
3 manufacturers and everybody could look at it. I know
4 that we did talk about that but that was three and a
5 half years ago.

6 So let's pull this group back together,
7 the RPC, FCC, PFCC, Dave who wasn't here when we had
8 those initial discussions and see where we are today
9 three years later and where we think we'll be two
10 years from now and just make a plan.

11 CHAIRMAN COLEMAN: Okay. Steve.

12 MR. DEVINE: Steve Devine, NPSTC Midwest
13 RPC Advocate. I just want to go on record. I don't
14 have a problem with filing anything on paper but if a
15 year and a half from now I have an application that
16 would require me to get use of a channel by moving
17 eight miles, it's that scenario down the road that
18 people in the Midwest have expressed to me as a
19 problem because of the flexibility we've built in
20 these 25 kilohertz channels and all the options we
21 have. I don't have a problem ever filing a paper
22 application or a plan amendment but I think defining

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1 a minor plan amendment and a major plan amendment and
2 having two paths for doing that in each is probably a
3 little more conducive to efficient spectrum usage.

4 MR. KEARNS: Kevin Kearns with Region 43
5 Washington State. I just want to make sure that the
6 record for this process since we are coming to an end
7 in this process reflects that Steve is not alone in
8 this belief. That is certainly a feeling our RPC and
9 I believe of those that immediately join us. Because
10 of the nature of the way we've allocated this band
11 and at least our perception was because of the
12 ability to use a national database for both
13 precoordination and the actual assignments, the minor
14 modifications should be very very easy for the
15 regional planning chairs to execute with the FCC so
16 that they can be considered official without having
17 to go through arduous paper processes and that type
18 of thing. If our on-going plan maintenance and
19 modification process meets the openness and
20 transparency needs that the FCC feels are needed by
21 policy and if we follow those, then filing minor
22 modifications should be a very straightforward

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1 mechanical kind of a process.

2 CHAIRMAN COLEMAN: David.

3 MR. BUCHANAN: Dave Buchanan, Region 5.

4 I'll just echo it. That's been my concern all along,
5 too. That's been our problem with the 821. Anything
6 you do ends up having to be approved by adjacent
7 regions whether it affects them or not. So anything
8 that makes it easy for us to add an allocation in
9 there and make it more flexible and not change the
10 basic plan itself would help. But most importantly
11 it would be helpful to keep the process to a speedy
12 process rather than a long drawn out one of having to
13 go out to public notice which just slows everything
14 down and people can't get their agency planning
15 implemented until we get through this game of paper.

16 If we can work that out, it would really help the
17 end users a lot.

18 MR. LINK: Kenneth Link, MTA Police, New
19 York City. As a member of Region 8, I agree with
20 everybody from the other regions. We feel the
21 streamline process would be beneficial to us as well
22 as the FCC commented. We've learned a lot of things

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1 from 821. Let's not do those same things over and
2 try to streamline a little bit more. Thank you.

3 CHAIRMAN COLEMAN: Very good. Any other
4 comments before we move on to our last item? Okay
5 RPC Update, Bette Rindhart.

6 MS. RINEHART: Just real quickly, we have
7 41 regions that have either held their first meetings
8 or scheduled a meeting. Several of them are pretty
9 far along in the planning process. There are six
10 regions who have selected conveners but have not yet
11 set a meeting at least that they've officially
12 notified the FCC that they've selected a convener.
13 Then there are eight showing having no activity at
14 all so far. So it's well over 50 percent. It's
15 three-quarters.

16 CHAIRMAN COLEMAN: Okay. Is there any
17 other old business? Any other new business?

18 COMMISSIONER GRIFFIN: Tom, can I speak?
19 Fred Griffin. These comments are not related to the
20 NCC activity but some things have happened in our
21 office in our firm basically in the last month that I
22 would like to caution anybody and everybody about.

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1 There are groups of people that are basically trying
2 to capitalize on the overall situation of funding for
3 Homeland Security and also the work in 700. They are
4 offering services, subscription services, deals. The
5 bottom line is that they are trying to get money out
6 of you.

7 In some cases, they don't have the
8 foggiest idea of what they are talking about such as
9 about licenses at 700 and so forth. I listened to
10 two of them. When they got through talking, I said
11 'That's funny. I'm on the Committee and I didn't
12 know all that.' But I'm saying that there's
13 something on the edge of scams or frauds. Be darn
14 careful. That's my own opinion.

15 CHAIRMAN COLEMAN: Okay, by consensus and
16 having communicated with Chair Ted Dempsey late last
17 night, it is our understanding that we will have the
18 Implementation Subcommittee deliver a final report
19 about two weeks out. Also on behalf of Ted Dempsey
20 as chair and myself as vice chair, I want to thank
21 this group and also the work that Dick DeMello who
22 when he was with us was a major contributor numerous

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1 times throughout this process. So we want to thank
2 this group and thank all of you. We now adjourn.

3 MR. WILHELM: A couple of housekeeping
4 matters. First of all on a personal note, I've been
5 enormously impressed by the work that these
6 subcommittees have done. I think what we talked
7 about just now, this regional planning guide, is
8 representative of the kind of hard work that you've
9 done under the leadership of John Powell and Glen
10 Nash and Ted Dempsey and the vice chairs such as you,
11 Tom. It's been a tremendous effort and despite the
12 occasional and untimely disagreement about what the
13 NCC may have done, I think you have succeeded in
14 making the consensus process what it was intended to
15 be. I thank you for that.

16 Tomorrow at 8:45 a.m., there will be a
17 reception for the members of the Steering Committee,
18 the Sponsors and the Subcommittee Chairs. As usual,
19 it will be in the room just in back of the Commission
20 meeting room. At 9:30 a.m., we will commence the
21 last meeting of the NCC. Thank you all. I hope to
22 see you tomorrow. Off the record.

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1 (Whereupon, the above-entitled matter was
2 concluded at 12:27 p.m.)
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